

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

JEFFERY JAMES JACKSON,)
)
Petitioner,)
v.) CASE NO. 2:05-cv-460-F
)
D. T. MARSHALL, *et al.*,)
)
Respondents.)

O R D E R

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

- (1) The petitioner's Objections to the Magistrate Judge Recommendation (Doc. #5) filed on June 2, 2005 are overruled;
- (2) The Recommendation of the United States Magistrate Judge entered on May 24, 2005 (Doc. #3) is adopted;
- (3) The petition for writ of habeas corpus relief is DISMISSED without prejudice to afford petitioner an opportunity to exhaust all available state court remedies

DONE this 28th day of June, 2005.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE